

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO.:
v.		
	:	DATE FILED:
MICHELLE Y. FRAZIER,		
a/k/a "MICHELLE RUFFIN,"	:	VIOLATION:
a/k/a "M. SCOTT,"		18 U.S.C. § 1343 (wire fraud – 1 count)
a/k/a "M. SMITH,"	:	Notice of Additional Factors
a/k/a "MICHELLE SMITH"		

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times relevant to this information:

Introduction

1. Frankford Candy & Chocolate Company, Inc. (FCC) was a business located at 2101 Washington Avenue, Philadelphia, Pennsylvania. FCC issued payroll checks drawn on First Union Bank.
2. First Union Bank was a bank located in Philadelphia, Pennsylvania and elsewhere.
3. ACE Check Cashing Agency was a business which, among other things, cashed payroll checks and which had a branch located at 1204 S. 31st Street, Philadelphia, Pennsylvania. ACE Check Cashing did its banking with Regal Savings Bank, which later became Regal Bank & Trust.

4. Regal Savings Bank, which later became Regal Bank & Trust, was a bank located in Owings Mills, Maryland and elsewhere.

5. Defendant MICHELLE Y. FRAZIER, a/k/a "Michelle Ruffin," a/k/a "M. Scott," a/k/a "M. Smith," a/k/a "Michelle Smith," was employed as the payroll clerk at FCC.

6. From in or about July 1992 through in or about October 2002 in the Eastern District of Pennsylvania and elsewhere, defendant

**MICHELLE Y. FRAZIER,
a/k/a "Michelle Ruffin"
a/k/a "M. Scott,"
a/k/a "M. Smith,"
a/k/a "Michelle Smith,"**

devised and intended to devise a scheme to defraud FCC and to obtain money and property by false and fraudulent pretenses, representations and promises.

It was part of the scheme that:

7. As the payroll clerk for FCC, defendant MICHELLE Y. FRAZIER issued over two thousand bogus payroll checks totaling \$858,936, cashed them, and kept the proceeds for herself.

8. When defendant MICHELLE Y. FRAZIER issued the bogus checks, she
- a. issued them in the names of employees whom she knew were on annual, sick or maternity leave;
 - b. withheld nothing, or very little, from the checks for payment of federal income taxes; and
 - c. kept for herself the value of each check, which generally was between \$200 and \$500 dollars.

9. From in or about July 1992 until on or about May 3, 2002, defendant MICHELLE Y. FRAZIER primarily used the ACE Check Cashing branch at 1204 S. 31st Street, Philadelphia, Pennsylvania to cash the bogus payroll checks because this branch was used by many FCC employees to cash payroll checks and the ACE employees trusted the defendant because they knew that she was the payroll clerk at FCC.

10. From on or about May 24, 2002, until in or about October 2002, defendant MICHELLE Y. FRAZIER deposited the bogus payroll checks at either Mellon Bank or her account at Smith Kline Beecham Federal Credit Union because employees of ACE Cash Checking had advised the defendant that they would no longer allow her to cash checks in the names of other employees.

11. Defendant MICHELLE Y. FRAZIER forged the signatures of the payees named on the bogus checks on the backs of the checks so that the cash checking agency or bank would cash the checks.

12. In many instances, defendant MICHELLE Y. FRAZIER signed a second endorsement on the backs of the bogus checks in either her own name or the aliases "Michelle Ruffin," "M. Scott," "M. Smith," or "Michelle Smith."

13. On or about the date set forth below, in the Eastern District of Pennsylvania, and elsewhere, for the purpose of executing this scheme to defraud, the defendant

**MICHELLE Y. FRAZIER,
a/k/a "Michelle Ruffin,"
a/k/a "M. Scott,"
a/k/a "M. Smith,"
a/k/a "Michelle Smith"**

knowingly caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below:

COUNT	DATE	DESCRIPTION
1	May 6, 2002	\$414.86 sent by the Philadelphia branch of Federal Reserve Bank from the account of Frankford Candy & Chocolate Company at First Union Bank in the Eastern District of Pennsylvania to the account of Ace Check Cashing, Inc. at Regal Bank & Trust in Owings Mills, Maryland.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF ADDITIONAL FACTORS

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this information, defendant **MICHELLE Y. FRAZIER, a/k/a "Michelle Ruffin," a/k/a "M. Scott," a/k/a "M. Smith," a/k/a "Michelle Smith,"**

a. Committed an offense in which the loss exceeded \$400,000, as described in U.S.S.G. § 2B1.1(b)(1).

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**